

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

MACEY E. TURLEY, JR.,

Plaintiff,

v.

LOPEZ, *et al.*,

Defendants.

Case No.: 1:23-cv-00100-BAM (PC)

ORDER DENYING *IN FORMA PAUPERIS*
APPLICATION WITHOUT PREJUDICE
(ECF No. 3)

ORDER TO SUBMIT PRISONER
APPLICATION TO PROCEED *IN FORMA*
PAUPERIS OR PAY FILING FEE WITHIN
THIRTY (30) DAYS

Plaintiff Macey E. Turley, Jr. ("Plaintiff") is a state prisoner proceeding *pro se* in this civil rights action under 42 U.S.C. § 1983. Plaintiff initiated this action on October 31, 2022, (ECF No. 1), in the United States District Court for the Southern District of California. Plaintiff filed a motion to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915 on December 19, 2022. (ECF No. 3.) The action was transferred to the Eastern District of California on January 23, 2023. (ECF No. 4.)

Plaintiff's application to proceed *in forma pauperis* is incomplete. Plaintiff has failed to complete the trust account withdrawal portion of the application. Plaintiff must submit a completed form if he wishes for the application to be considered. **Plaintiff is not required to submit a new certified copy of his inmate trust account statement.**

Accordingly, IT IS HEREBY ORDERED as follows:

1. Plaintiff's motion to proceed *in forma pauperis*, (ECF No. 3), is DENIED, without prejudice;
2. The Clerk of the Court is directed to serve this order and a blank *in forma pauperis* application for a prisoner on Plaintiff;
3. Within **thirty (30) days** from the date of service of this order, Plaintiff shall file the attached application to proceed *in forma pauperis*, completed and signed, or in the alternative, pay the \$402.00 filing fee for this action;
4. No extension of time will be granted without a showing of good cause; and
5. **Plaintiff is warned that the failure to comply with this order will result in dismissal of this action, without prejudice.**

IT IS SO ORDERED.

Dated: January 25, 2023

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE